

LS 9757

OGC HAS REVIEWED.

18 October 1954

MEMORANDUM FOR: Chief of Administration, DD/P
Attn: [REDACTED]

25X1A9a

SUBJECT : Shipment of Household Effects in Excess
of Maximum Authorized

REFERENCE : Letter to Chief of Administration, DD/P
from EE/Administration, dated 14 September
1954, w/attachment

1. You have requested our advice with regard to the recommendation set forth in paragraph 5a of the reference to the effect that [REDACTED] be relieved of financial responsibility for shipping effects in excess of the maximum weight authorized and, in addition, that they be allowed to return an amount of effects not exceeding that which they originally shipped.

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2. The reference indicates that upon the occasion of [REDACTED] transfer to the [REDACTED] in January 1954, 4,190 pounds of effects were shipped at Government expense; and that when [REDACTED] was transferred to the [REDACTED] during that same month, 5,750 pounds were transported on his behalf. The reference also indicates that at no time during their processing for overseas assignment were these individuals specifically advised of the weight limitation contained in [REDACTED] and that they made the shipments in good faith.

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3. There is no question but that the weight limitation of 3,000 pounds as fixed by the provisions of [REDACTED] applies to shipments of the nature involved. Thus, it remains for consideration whether, under the circumstances presented, this specific limitation may be ignored. We think not. While it is unfortunate that [REDACTED] were not apprised of the existence of [REDACTED], which was duly published in November 1953, we do not believe that this factor can be deemed to constitute a legal basis for transferring to the Government the expense of shipping and of subsequently re-shipping that amount of effects which exceeds the limitation set forth in [REDACTED]

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Office of General Counsel

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